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- 21. The single reagent of claim 20, wherein said at least one inorganic salt is an alkali metal salt.
- 22. The single reagent of claim 20, wherein said at least one inorganic salt is a chloride or sulfate of sodium or potassium.
- 23. The single reagent of claim 1, wherein said detergent is present at a concentration of 0.2 - 20 g/l and the nitrogenous compound is present at a concentration of 0.1-10 g/l.
- 24. The single reagent of claim 1 comprising:
5 - 10 g/l potassium chloride;
0.5 - 3 g/l 1,3-dimethyl-2-thiourea;
0.5 - 5 g/l dodecyltrimethylammonium chloride; and
1.0 - 10 g/l potassium hydrogen phosphate plus hydrochloric acid.--

REMARKS

Claims 1-11 were pending in the application and are hereby cancelled without prejudice as to their readmission by action of the present amendment. New claims 12-24 are presented for examination. Each of the pending claims defines an invention that is novel and unobvious over the cited art. Favorable consideration of this case is respectfully requested.

The applicant has rewritten the claims so as to conform to U.S. claim writing practice. The claims do not introduce new matter.

Claims 1-11 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for not conforming to U.S. practice. In view of the instant amendment, the Applicants respectfully request withdrawal of the rejections.

Claims 1-11 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,677,183 to Tarakada et al. in view of Hamaguchi et al. (5,389,549). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*. All words in a claim must be

considered in judging the patentability of that claim against the prior art. *In re Wilson*. (MPEP § 2143.03). When evaluating the scope of a claim, every limitation in the claim must be considered. See e.g. *In re Ochiai*. (MPEP § 2144.08). The evidentiary record fails to teach each limitation of the present invention.

The present invention, as recited in newly-presented claim 12, comprises a single reagent that permits the counting of total leucocytes, the basophile polymorphonuclear leucocytes (basophiles), and to determine the total hemoglobin in a sample of blood. Moreover, as recited in claim 12, the reagent comprises the absence of cyanic compounds. Neither Tarakada nor Hamaguchi determine total hemoglobin. Therefore, the combination of Tarakada and Hamaguchi fails to teach each limitation of the present invention.

Claims 1-11 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,538,893 to Sakata et al. in view of Hamaguchi et al. (5,389,549). Neither Sakata nor Hamaguchi determine total hemoglobin. Therefore, the combination of Sakata and Hamaguchi fails to teach each limitation of the present invention.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this communication, including any extension fees or fees for the net addition of claims, to Deposit Account No. 22-0185.

Respectfully submitted,



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